On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Rostrum.

The Honorable Wilbur Mills and Governor Preston Smith were escorted to the Speaker's Rostrum by Senators Creighton, Kothmann, Beckworth, Patman and Snelson, on the part of the Senate, and Representatives Slider, Garcia, Presnal, Moore of Hill, Solomon, Cobb, Hull, McKissick, Ward, and Ogg, on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Gus Mutscher, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present and stated the purpose of the Joint Session.

The Speaker of the House presented the President of the Senate, who introduced The Honorable Wilbur Mills to the Joint Session.

Congressman Mills then addressed the Joint Session.

The Speaker of the House then presented the Honorable Preston Smith, who addressed the Joint Session.

The President then stated that the purpose of the Joint Session having been concluded, the Senate would retire to its Chamber.

In Legislative Session

The Presiding Officer (Senator Aikin in Chair) called the Senate to order as In Legislative Session at 11:50 o'clock a.m.

Welcome Resolutions

- S. R. No. 1120—By Senator Schwartz: Extending welcome to Richard Haves.
- S. R. No. 1121—By Senator Watson: Extending welcome to Civics Class of Marlin High School.
- S. R. No. 1122—By Senator Watson: Extending welcome to Bill Laughlin.

Adjournment

On motion of Senator Creighton the Senate at 11:53 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, May 3, 1971.

APPENDIX

Sent to Governor

April 30, 1971

S. B. No. 75

S. B. No. 254.

S. B. No. 695.

S. B. No. 363.

S. B. No. 622.

SIXTY-FOURTH DAY

(Monday, May 3, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by Senator Word.

The roll was called and the following Senators were present:

Bates Jordan Beckworth Kothmann Bernal Mauzy Blanchard McKool Bridges Moore Brooks Patman Christie Ratliff Connally Sherman Creighton Snelson Grover Wallace Harrington Watson Wilson Harris Word Herring

Absent—Excused

Aikin Kennard Hall Schwartz Hightower

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Snelson and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 30, 1971, was dispensed with, and the Journal was approved.

Leaves of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy. Senator Aikin was granted leave of absence for today on account of a death in the family, on motion of Senator Snelson.

Senator Hightower was granted leave of absence for today on account of important business on motion of Senator Snelson.

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Jordan.

Communication From the Lieutenant Governor

THE STATE OF TEXAS

Office of the Lieutenant Governor Austin

May 3, 1971.

Senator J. P. Word Texas State Senate Capitol Building Austin, Texas 78711

Dear Senator Word:

I hereby authorize you to preside over the Senate Monday, May 3, 1971.

> Sincerely, BEN BARNES.

The communication was read and ordered printed in the Journal.

Reports of Standing Committees

Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 498.

H. B. No. 1035.

Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

S. B. No. 951 (Floor Report).

Senator Word submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 625 (Floor Report).

H. B. No. 1259 (Floor Report).

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 3, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 90, Commending Mayor Tom Vandergriff of Arlington.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Committee Appointed

Pursuant to the provisions of S. C. R. No. 84, the Presiding Officer announced the appointment by the President of the following Committee to escort The Honorable James Harold Wilson to the Joint Session: Senators Mauzy, Jordan, Wallace, Harrington and Beckworth.

Senate Bill 174 With House Amendment

Senator Herring called S. B. No. 174 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Senate Bill No. 174, Section 1, by deleting the word "it" on line forty-nine of said Section 1 and inserting the word "be" after "would," so that said line reads as follows: "would be subject to tax under section 4941 of the Code, the"

The House amendment was read.

Senator Herring moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas---23

Bates	Brooks
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Harrington

Harris Patman
Herring Sherman
Jordan Snelson
Kothmann Wallace
Mauzy Watson
McKool Word
Moore

Absent

Christie Ratliff Wilson

Absent—Excused

Aikin Kennard Hall Schwartz Hightower

Senate Bill 176 With House Amendment

Senator Herring called S. B. No. 176 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Scnate Bill No. 176, Section 1, Paragraph A, by deleting the word "it" on line forty-six of said Paragraph A and inserting the word "be" after "would," so that said line reads as follows:

"would be subject to tax under section 4941 of the Code; the cor-"

The House amendment was read.

Senator Herring moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas-24

Herring Bates Jordan Beckworth Kothmann Bernal Blanchard Mauzy McKool Bridges Brooks Moore Christie Patman Sherman Connally Snelson Creighton Grover Wallace Harrington Watson Harris Word

Absent

Ratliff

Wilson

Absent—Excused

Aikin Kennard Hall Schwartz Hightower

Senate Bill 652 With House Amendment

Senator Brooks called S. B. No. 652 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Section 2A(1), as set out in Section 1 of Senate Bill 652, by striking out the phrase "which was created to provide a" on lines 3 and 4 of Page 2 of said bill and inserting in place thereof the following clause:

"which, on April 1, 1971, was not a party to a contract providing for a Federal grant for research and development pursuant to Title 33, Sections 1155 (a) (2) and 1155 (d) of the United States Code as amended, and which has provided or is providing and which did not, at its creation, lie wholly within more than one city"

and by deleting all of sub-section (a) of said Section 2A(1) and substituting in lieu thereof the following:

"(a) All physical assets, properties and facilities of said district located within the boundaries of such respective city shall, at the date of distribution, belong to said city. The intangible assets, bonded indebtedness, liabilities, obligations and other debts of the district shall be assumed by the cities. That part of the intangible assets, bonded indebtedness, liabilities, obligations and other debts of the district assumed by each city shall be determined by multiplying the total intangible assets, bonded indebtedness, liabilities, obligations or other debts of the district by a ratio the numerator of which is the original cost of all physical assets, properties and facilities of said district distributed to the city and the denominator of which is the total original cost of all physical assets, properties and facilities of the

district. The term 'original cost' as used in this section shall mean the actual cost of construction or acquisition. Operating expenses during construction, interest during construction, organizational expenses, engineering fees, legal fees, fiscal fees and other fees and expenses shall not be considered when determining the original cost of any physical assets, properties, or facilities. Each city shall faithfully perform all duties, functions and obligations imposed by law or by contract upon the abolished district and its governing body in regard to any outstanding district bonds, warrants or other obligations payable in whole or in part from the revenues from the operation of the district's properties, assets, and facilities; provided, how-ever, that maintenance and operation expenses may be allocated by a city between two or more similar properties, assets and facilities owned and operated by the city in direct proportion to the gross income of each."

The House amendment was read.

Senator Brooks moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The Presiding Officer asked if there were any motions to instruct the Conference Committee on S. B. No. 652 before appointment.

There were no motions offered.

Accordingly, the Presiding Officer announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Brooks, Creighton, Kothmann, Wallace and Sherman.

Senate Bill 447 With House Amendments

Senator Creighton called S. B. No. 447 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. No. 447, First Printing, as follows:

- (1) Strike "not less than \$6,600 and" on page 1, line 32.
- (2) Strike "not less than \$6,600 and" on page 2, line 2.
- (3) Strike "of \$1,200" on page 1, line 51, and substitute "to be determined and fixed by order of the district judge, not to exceed \$1,200."
- (4) Strike "The \$1,200 shall be paid in 12 monthly installments of \$100 each" on page 1, lines 53 and 54, and substitute "The allowance shall be paid in 12 equal monthly installments,"

The House amendment was read.

Senator Creighton moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas-24

Bates	Herring
Beckworth	Jordan
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	\mathbf{M} oore
Christie	Patman
Connally	Sherman
Creighton	Snelson
Grover	Wallace
Harrington	Watson
Harris	\mathbf{Word}

Absent

Ratliff

Wilson

Absent—Excused

Aikin Hall Hightower

Kennard Schwartz

Senate Bill 272 With House Amendment

Senator Creighton called S. B. No. 272 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Senate Bill No. 272, House First Printing, by striking all below the enacting clause and substituting the following:

61st Legislature, Regular Session, 1969, is amended to add a Section 1A and 1B to read as follows:

"Section OF REMOVAL AREAS FROM DISTRICT. (a) The board of directors shall within sixty (60) days from the effective date of this Act order an election to approve the exclusion of the territory described in Section 1B hereof, from the district. The election order shall include the time and place or places for holding the election, the proposition to be printed on the ballot, the presiding judge for each voting place, and a description of the boundaries of the territory to be excluded from the district.

- "(b) Notice of the election including a copy of the election order shall be published once a week for two consecutive weeks in a newspaper or newspapers with general circulation in the district, with the first publication to be made not later than 21 days before the day of the election.
- "(c) The returns of the election shall be printed to provide for voting for or against the proposition: 'The exclusion of land from the district.'
- "(d) The election shall be held in the manner provided in the Texas Election Code, as amended, for other elections.
- "(e) the returns of the election shall be canvassed by the board of directors and if a majority of the persons voting in the election vote to exclude the territory from the district, the board of directors shall declare the results and order the territory excluded from the district.
- "(f) Before the board of directors orders the territory to be excluded from the district, it shall adopt a plan to provide for disposition of the excluded territory's pro rata share of any debts and obligations incurred by the district before the date on which the territory is excluded and shall levy a sufficient tax in the territory to be excluded to dispose of the territory's pro rata share of the district's debts and obligations.
- "(g) The offices of directors who reside in the territory to be excluded from the district shall become vacant immediately after the order is issued excluding the territory from the district. The remaining directors shall after its passage, and it is so enacted.

Section 1. Chapter 569, Acts of the appoint persons to fill the unexpired terms of the directors whose offices are vacated."

> "Section 1B. DESCRIPTION OF TERRITORY TO BE EXCLUDED FROM THE DISTRICT. All land and territory lying outside the Gorman Independent School District; and the following described tract or parcel of land, to-wit:

> BEGINNING at the NW corner of the David S. Richardson Survey and the NE corner of the McLennan County School Land Survey League No. 1 in Eastland County, Texas.

> THENCE, E. to the NE corner of the David S. Richardson Survey and the NW corner of the G. W. McGrew

> THENCE, South 1½ miles to a point in the EBL of the David S. Richardson Survey and the WBL of the G. W. McGrew Survey, the same being the NE corner of the W. A. Logan 160 acre tract in said David S. Richardson Survey;

> THENCE, West ½ mile to the NW corner of said W. A. Logan 160 acre tract in David S. Richardson Survey;

THENCE, South to the North R.O. W. line of FM Road No. 2214 in the David S. Richardson Survey;

THENCE, Northwesterly with the North R.O.W. line of FM Road No. 2214 in the David S. Richardson Survev to a point on the north R.O.W. line of FM Road No. 2214 and the East R.O.W. line of FM Road No. 571, said point being on the WBL of the David S. Richardson Survey and the EBL of the McLennan County School Land Survey League No. 1;

THENCE, North with the east R. O.W. line of FM Road No. 571 to the NW corner of David S. Richardson Survey and the NE corner of the Mc-Lennan County School Land Survey League No. 1, which is the place of BEGINNING."

Section 2. The importance of this legislation and the crowded condition of the calendars of both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and The House amendment was read.

Senator Creighton moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas-24

Bates Beckworth Bernal Blanchard Bridges Brooks Christie Connally Creighton Grover	Herring Jordan Kothmann Mauzy McKool Moore Patman Sherman Snelson Wallace
Grover Harrington Harris	Watson Word

Absent

Ratliff

Wilson

Absent-Excused

Aikin Kennard Hall Schwartz Hightower

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 3, 1971.

Hon. Ben Barnes, President of the

Senate.
Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 468 by vote of 128 ayes, 0 noes.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Recess

On motion of Senator Herring the Senate at 10:58 o'clock a.m. took recess subject to the conclusion of the Joint Session.

Joint Session

(To hear address of The Honorable James Harold Wilson)

The President of the Senate and pose of the Jothe Senators present escorted by the concluded, the Sergeant-at-Arms and the Secretary its Chamber.

of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m. to hear the address of The Honorable James Harold Wilson, pursuant to the provisions of S. C. R. No. 84.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The President on invitation of the Speaker, occupied a seat on the Speaker's Rostrum.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Gus Mutscher, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Honorable James Harold Wilson, The Honorable Lyndon B. Johnson, The Honorable Preston Smith and party were escorted to the Speaker's Rostrum by Senators Mauzy, Jordan, Wallace, Harrington and Beckworth on the part of the Senate, and Representatives Heatly, Longoria, Jungmichel, Hilliard, Niland, Swanson, Golman, Ingram, Clayton and Traeger, on the part of the House.

The Honorable Gus Mutscher, Speaker of the House of Representatives, presented The Honorable Preston Smith, Governor of Texas, who introduced former Prime Minister of England, the Honorable James Harold Wilson.

Prime Minister Wilson then addressed the Joint Session.

The Speaker of the House then presented former President Lyndon B. Johnson, who addressed the Joint Session.

Speaker Mutscher then presented Mrs. James Harold Wilson, Mrs. Lyndon B. Johnson, Dean John Gronouski and Mrs. John Gronouski to the Joint Session.

At the conclusion of the Joint Session, the President stated the purpose of the Joint Session having been concluded, the Senate would retire to its Chamber.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:55 o'clock a.m.

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled

- S. B. No. 217.
- S. B. No. 335.
- S. B. No. 175.
- S. B. No. 635.

(Senator Mauzy in Chair.)

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committee indicated:

- H. B. No. 53, To Committee on County, District and Urban Affairs.
- H. B. No. 130, To Committee on Education.
- H. B. No. 144, To Committee on Military and Veteran's Affairs.
- H. B. No. 172, To Committee on County, District and Urban Affairs.
- H. B. No. 238, To Committee on County, District and Urban Affairs.
- H. B. No. 305, To Committee on Jurisprudence.
- H. B. No. 335, To Committee on Jurisprudence.
- H. B. No. 380, To Committee on Education.
- H. B. No. 398, To Committee on Education.
- H. B. No. 440, To Committee on State Departments and Institutions.
- H. B. No. 447, To Committee on Jurisprudence.
- H. B. No. 595, To Committee on Jurisprudence.
- H. B. No. 640, To Committee on Water and Conservation.
- H. B. No. 645, To Committee on

- H. B. No. 704, To Committee on Legislative, Congressional and Judicial Districts.
- H. B. No. 705, To Committee on County, District and Urban Affairs.
- H. B. No. 753, To Committee on Public Health.
- H. B. No. 786, To Committee on County, District and Urban Affairs.
- H. B. No. 789, To Committee on County, District and Urban Affairs.
- H. B. No. 796, To Committee on Insurance.
- H. B. No. 823, To Committee on Insurance.
- H. B. No. 826, To Committee on Water and Conservation.
- H. B. No. 833, to Committee on County, District and Urban Affairs.
- H. B. No. 854, To Committee on Education.
- H. B. No. 889, To Committee on Water and Conservation.
- H. B. No. 891, To Committee on County, District and Urban Affairs.
- H. B. No. 923, To Committee on Water and Conservation.
- H. B. No. 931, To Committee on County, District and Urban Affairs.
- H. B. No. 976, To Committee on Water and Conservation.
- H. B. No. 999, To Committee on County, District and Urban Affairs.
- H. B. No. 1003, To Committee on County, District and Urban Affairs.
- H. B. No. 1086, To Committee on Parks and Wildlife.
- H. B. No. 1108, To Committee on Water and Conservation.
- H. B. No. 1140, To Committee on Water and Conservation.
- H. B. No. 1190, To Committee on State Departments and Institutions.
- H. B. No. 1198, To Committee on Education.
- H. B. No. 1201, to Committee on County, District and Urban Affairs. | County, District and Urban Affairs.

H. B. No. 1205, To Committee on Parks and Wildlife.

H. B. No. 1286, To Committee on State Departments and Institutions.

H. B. No. 1297, To Committee on Parks and Wildlife.

H. B. No. 1379, To Committee on Water and Conservation.

H. B. No. 1380, To Committee on Agriculture and Livestock.

H. B. No. 1418, To Committee on Water and Conservation.

H. B. No. 1436, To Committee on Public Health.

H. B. No. 1628, To Committee on Parks and Wildlife.

H. B. No. 1641, To Committee on Water and Conservation.

H. B. No. 1658, To Committee on Parks and Wildlife.

H. B. No. 1704, To Committee on Education.

H. B. No. 1705, To Committee on County, District and Urban Affairs.

Senate Bill 396 With House Amendments

Senator Watson called S. B. No. 396 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. No. 396 by renumbering Section 3 appropriately and inserting a new Section 3 to read as follows:

Sec. 3. Chapter 363, Acts of the 59th Legislature, Regular Session, 1965 (Article 6819a-40, Vernon's Texas Civil Statutes), is amended to read as

"Section 1 (a) The Commissioners Court of McLennan County shall supplement the salary of the Judges of the 19th, 54th, and 74th Judicial Districts and the salary of the County President of the following conferees Judge of McLennan County in an on the part of the Senate on the bill: amount not less than \$1,500 nor more Senators Watson, Word, Beckworth, than \$5,000 a year for services ren- Moore and Bates.

dered to the Juvenile Board of Mc-Lennan County.

"(b) The Commissioners Court may also supplement District Judges' salaries by not more than \$5,000 a year for administrative services rendered to the County.

"Section 2. The supplemental salary described in Section 1 of this Act is in addition to all other salary now paid or authorized to be paid by the State to the Judges of the 19th, 54th, and 74th Judicial Districts and the County Judge of McLennan County."

Amendment No. 2

Amend S. B. No. 396 by striking all above the enacting clause and substituting the following:

A BILL

TO BE ENTITLED

An Act relating to the jurisdiction of the County Court at Law of Mc-Lennan County and County Court of McLennan County and the transfer of causes and exchange of benches between the two courts; relating to compensation for service on the Juvenile Board of McLennan County; amending Sections 2 and 3, Chapter 248, and adding Section 3a to Chapter 248, Acts of the 52nd Legislature, Regular Session, 1951 (Ar-1970-298b, Vernon's Texas ticle Civil Statutes); amending Chapter 363, Acts of the 59th Legislature, Regular Session, 1965 (Article 6819a-40, Vernon's Texas Civil Statutes); and declaring an emergency.

The House amendments were read.

Senator Watson moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The Presiding Officer asked if there were any motions to instruct the Conference Committee on S. B. No. 396 before appointment.

There were no motions offered.

Accordingly, the Presiding Officer announced the appointment by the

Memorial Resolutions

- S. R. No. 1127—By Senator Blanchard: Memorial resolution for Specialist 4th Class Eddie L. Dodd.
- S. R. No. 1128—By Senator Blanchard: Memorial resolution for Dan S. Thorne.

Welcome and Congratulatory Resolutions

- S. R. No. 1123—By Senator Mc-Kool: Extending commendation to Casa View Elementary School Girls' Soccer Team.
- S. R. No. 1124—By Senator Mc-Kool: Extending commendation to Destyn Meyer and Karen Powell, Central Elementary School, Seagoville, for their dedication to their studies.
- S. R. No. 1125—By Senator Sherman: Extending welcome and commendation for their accomplishments and contribution in music to the Pampa High School Choir. (Amended.)
- S. R. No. 1126—By Senator Wallace: Extending welcome to Girl Scout Troop 1820 of Houston.
- S. R. No. 1129—By Senators Kothmann and Bernal: Extending appreciation to National Taco Council for their promotion of National Taco Week.
- S. R. No. 1130—By Senator Herring: Extending appreciation to T. C. Calhoun on his retirement as Principal of Kealing Junior High School.

Adjournment

On motion of Senator Harrington the Senate at 12:14 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 3, 1971

S. B. No. 635.

S. B. No. 175.

S. B. No. 335.

S. B. No. 217.

S. B. No. 895.

SIXTY-FIFTH DAY

(Tuesday, May 4, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin Jordan Bates Kennard Beckworth Kothmann Bernal Mauzy Blanchard McKool **Bridges** Moore Brooks Patman Christie Ratliff Connally Schwartz Creighton Sherman Snelson Grover Hall Wallace Harrington Watson Wilson Harris Herring Word · Hightower

A quorum was announced present,

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Kennard submitted the following reports for the Committee on Public Health:

S. B. No. 484.

C. S. S. B. No. 559 (Read first time)

S. B. No. 327 (Amended)

Senator Aikin submitted the following reports for the Committee on Finance:

S. B. No. 866.

S. B. No. 324.

Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 1628.

Senator Creighton submitted the lowing reports for the Committee on Water and Conservation: